HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

W.P.No.26500 of 2001

Dated 4th day of July, 2007

Between:

P. Ramanaiah ..
Petitioner

And

Government of A.P., rep. by its
Secretary, Revenue & Excise – III Department
Secretariat Buildings, Hyderabad
and another ..
Respondents

-
-
-

O R D E R:

This writ petition is filed seeking a mandamus to declare the Order dated 17.10.2001 in G.O.Rt.No.2036 Revenue (Excise-III) Department, issued by the 1st respondent, as arbitrary and illegal, and consequently direct the 1st respondent to issue FL.24 licence to the petitioner.

The petitioner asserts that the 2nd respondent granted him FL-24 licence for the excise year 1998-99 under the name and style of M/s.Madhuri Wines, Chitvel village, Cuddapah District and he is doing retail business as per the guidelines in conformity with the statutory provisions made under A.P. Prohibition and Excise Act. Now, the grievance of the petitioner is that the 2nd respondent suspended his licence on the ground that his shop is located within 100 metres from the religious institutions like Temple and Mosque and issued a show cause notice. Even after the petitioner submitted his explanation, the 2nd respondent cancelled his authorization in Rc.No.B/1911/98, dated 21.8.1998. Aggrieved by this order, when the petitioner preferred a revision, the 1st respondent dismissed it on 17.10.2001 confirming the order of the 2nd respondent.

This Court, on 23.4.2002, while ordering Rule Nisi, refused to grant interim suspension of the order passed by the 2nd respondent, which was confirmed by the 1st respondent. Today, when the mater is taken up for hearing, Sri L.J.Veera Reddy, learned counsel for the petitioner, has submitted that he is no more holding vakalat as the petitioner took away the bundle.

Having perused the material placed on record, this Court is of the view that the respondents, after following the entire procedure, rightly cancelled the petitioner's FL-24 licence.

Hence, I see no merits in this writ petition and the same is dismissed. No costs.

_____

04.07.2007

bcj